

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
ACH-2977 US

First named inventor: Frans Lodewijk PLANTENGA

Application No.: 10/730,433

Art Unit: 1797

Filed: December 8, 2003

Examiner: Prem C. SINGH

Title: HPC Process Using A Mixture of Catalysts

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional

1. Petition Fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Application claims small entity status. See 37 CFR 1.27.

☒ Other than small entity-fee \$ 1620.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Request for Continued Examination (identify type of reply):

☒ has been filed previously on September 11, 2009.

☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____.

☐ has been paid previously on _____.

☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Signature

Jeremy J. Kliebert

Type or Printed name

451 Florida Street

Address

Baton Rouge, Louisiana 70801

Address

December 15, 2009

Date

48,227

Registration Number, if applicable

225-388-8191

Telephone Number

Enclosures:

- ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by EFS-web on the date shown below to the United States Patent and Trademark Office

December 15, 2009

Date

Signature

Dawn M. Ray

Typed or printed name of person signing certificate

Support for Petition to Revive

Applicants did not receive the Advisory Action, nor the Notice of Abandonment at the address of record, as noted in the Examiner's notice of abandonment. The facts surrounding this situation are set forth below in chronological order, along with Albemarle's response and comments.

Summary of Relevant Facts

In the present application, a change of address form, attached as Exhibit A hereto was filed on April 17, 2007, changing the address of record to the address associated with Customer Number 56744.

A change of power of attorney was also filed in the present application on April 5, 2007, and is attached hereto as Exhibit B.

During the prosecution of this application, and after the filing of both the Change of Address and Power of Attorney, the United States Patent and Trademark Office ("USPTO") continued to communicate with Mr. Louis Morris of Akzo Nobel's legal department at 7 Livingstone Avenue, Dobbs Ferry, New York 10522-3408. During Mr. Morris' time at the Dobbs Ferry address, he forwarded Albemarle's mail to the correct address.

During the time of Mr. Morris' forwarding Albemarle's mail, Albemarle contacted the USPTO several times via telephone to inform the USPTO of the filing of the change of correspondence address and request a correction, but no correction was made.

Mr. Morris relocated his office from the Dobbs Ferry address, and the Advisory Action issued by the Examiner was sent to Mr. Morris' Dobbs Ferry address. It was returned to the USPTO as undeliverable.

On August 10, 2009, the USPTO sent a Notice of Abandonment to Albemarle at the address associated with Customer Number 56744. In the Notice of Abandonment, the Examiner notes that applicants did not receive the Advisory Action.

Attached as Exhibit C is the record now available from the PAIR system indicating the correct address associated with Customer Number 7982, but the incorrect customer number and incorrect listing of attorneys of record.

Albemarle's Comments and Remarks

Albemarle was unable to reply to the Advisory Action because it was not received, and the entire delay in responding to such Advisory Action was unavoidable. In short, since Albemarle did not receive the Advisory Action, it was not able to ascertain that the response to the Final Office Action was not entered and accepted as placing the application in condition for allowance.

Applicants have submitted a Request for Continued Examination and necessary response on September 11, 2009.

APR 17 2007

PCT Help Desk
US Patent and Trademark Office
Telephone: (571) 272-4300
Facsimile: (571) 273-0419

Fax

To: OIPE	From: Shian Luong Special Programs Examiner
Fax: 571-273-8300	Pages: 12
Phone:	Date: 17 April 2007
Re: Change of Address	CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

To Whom It May Concern:

Please see the attached request by applicant for the change of correspondence address. Please update the change.

Best regards,

Shian Luong
PCT Special Programs Office
USPTO
Shian.luong@uspto.gov

RECEIVED
CENTRAL FAX CENTER

APR 17 2007

RECEIVED

APR 11 2007

PCT SPECIAL
PROGRAMS OFFICE

HOWREY

2941 FAIRVIEW PARK DRIVE
SUITE 200

FALLS CHURCH, VA 22042

PHONE: 703.663.5600 • DIRECT FAX: 703.852.7204

Date: April 11, 2007

To: Name: PCT-Help Desk - URGENT

Company: USPTO

Fax Number: 571-273-0419

Phone Number: 571-272-4300

From: Name: Michael J. Bell

Direct Dial No. 703-663-3600

No. of Pages (including
cover):

User ID: 4812

Message:

11

Charge No: 09101.0502.000000

Gentlemen:

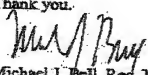
On January 5, 2007 we filed Change of Correspondence Address forms to move several applications to Customer Number 56744 from Customer Number 32894. This has still not been completed properly.

I have attached copies of the Change of Correspondence Address Application forms and the stamped postcard receipt.

Please forward to DOBO and have the updates completed as soon as possible. The change of address forms are already associated with each application.

If you have any questions, please contact Deborah White at 703-663-3751.

Thank you.


Michael J. Bell, Reg. No. 39604

DM_US20146134 2

EXHIBIT A

PTO

Please indicate receipt of the below identified paper:

<input type="checkbox"/> New Application For: Type of Patent	Priority Data:
<input type="checkbox"/> Pgm priority claimed	Fee Amt \$ 0 any fee not specified See No. 0.3011
<input type="checkbox"/> Continuation	<input type="checkbox"/> CIP <input type="checkbox"/> Divisional <input type="checkbox"/> CPA <input type="checkbox"/> RCE
<input type="checkbox"/> Specification	Pages <input type="checkbox"/> Drawings <input type="checkbox"/> Sheets
<input type="checkbox"/> Response to Office Action/Direct	<input type="checkbox"/> Final Rejection
<input checked="" type="checkbox"/> Other: Mail Stop EBC: Request for Change of Correspondence Address Transmitted: 1 page; PTO/SB/122-12 format; PTO/SB/125-43 Format: 1 sheet received.	
<input type="checkbox"/> Assignment Enclosed	<input type="checkbox"/> Cert of Express Mailing <input type="checkbox"/> Exp. Mail:

IDENTIFICATION OF APPLICATION

Serial No.:	Filing Date:	Responsible Any: By:
Title:		
Applicant:	Entered By: Services	
Client:	Firm File No. 001373001.000000	
To PTO VIA Hand Delivery on	Date: 1/5/2007	Due Date: 1/5/2007

Stamp: JAN 06 2007

APR 17 2007

CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/730,433
Filing Date	12-06-2003
First Named Inventor	Frans Plantinga
Art Unit	1764
Examiner Name	DOUGLAS, JOHN CHRISTOPHER
Attorney Docket Number	001373732NPLUS01

Please change the Correspondence Address for the above-identified patent application to:

☒ The address associated with
Customer Number:

66744

OR

☐ Firm or
Individual Name

Address

City

State

Zip

Country

Telephone

Email

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:

☐ Applicant/Inventor

☐ Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/98).

☒ Attorney or agent of record. Registration Number 39804

☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.83(a)(1). Registration Number

Signature

Typed or Printed
Name

Michael Bell

Date

Telephone 703-603-3600

NOTE: Signatures of all the inventor(s) or assignee(s) of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 302 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes or less. The amount of time you require to complete this form and/or supporting for testing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND PDS OR COMPLETE FORMS TO THE ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



TJH

Application Number: 10/730,433
Filing Date: 8-December-2003
First Named Inventor: Frans Plantenga
Title: HPC Process Using A Mixture Of Catalysts
Art Unit: 1764
Examiner Name: Walter Dean Griffin
Attorney Docket Number: ACH-2977 US

TO: Commissioner for Patents
PTOSS
P. O. Box 1450
Alexandria, Virginia 22313-1450

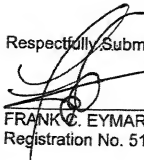
ATTN: MELKAM BEYENE

RE: NOTICE REGARDING POWER OF ATTORNEY (copy attached)

Please see attached copy of Power of Attorney and Correspondence Address Indication Form that was filed December 19, 2005, as referenced in your Notice regarding Power of Attorney (copy attached) with mailing date of January 19, 2007. Note that the Form is signed by **David H. Vickrey**. Please also see attached copy of signed Declaration and Power of Attorney, which clearly gives power of attorney with full power of substitution and revocation to Mr. Vickrey. Thus, the Power of Attorney and Correspondence Address Indication Form is not from the assignee, but is signed by an attorney having the authority to revoke.

Please accept the change of correspondence address and new Power of Attorney. If you need additional information, please call me at 225-388-7750. Thank you.

Respectfully Submitted,



FRANK C. EYMARD
Registration No. 51,660



1/Find

Application Number: 00730433
Filing Date: 8 December 2003
First Named Inventor: Frans Plantenga
Title: HPC process using a mixture of catalysts
Art Unit: 1764
Examiner Name: Griffin, Walter Dean
Attorney Docket Number: ACH2977US

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

TO: Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

I HEREBY REVOKE all previous powers of attorney given in the above-identified application.

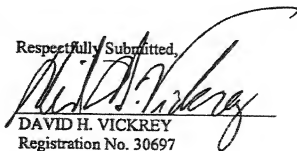
I HEREBY APPOINT practitioners associated with Customer Number 007982 as the attorneys or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

PLEASE CHANGE THE CORRESPONDENCE ADDRESS for the above-identified application to: The address associated with Customer Number 007982.

I am the Attorney of Record. Registration No. 30697. Please direct correspondence or inquiries regarding this matter to:

Marcy M. Hoeffling
Registration No. 33955
Albemarle Corporation
451 Florida Street
Baton Rouge, Louisiana 70801
Phone 225-388-7210
Fax 225-388-7239

Respectfully Submitted,


DAVID H. VICKREY
Registration No. 30697



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10/730,433

HPC process using a mixture of catalysts

Select New Case	Application Data	Transaction History	Image File Wrapper	Continuity Data	Published Documents	Address Attorney/A
-----------------	------------------	---------------------	--------------------	-----------------	---------------------	--------------------

Correspondence Address

Name: ALBEMARLE CORPORATION

Address: PATENT DEPARTMENT
451 FLORIDA STREET
BATON ROUGE LA 70801

Customer Number: 7982

Attorney/Agent Information

Reg #	Name	Phone
25677	Fennelly, Richard	—
34054	Mancini, Ralph	914-674-5465
35608	McGillycuddy, Joan	914-674-5463
28100	Morris, Louis	773-320-6774
36123	Parker, Lainie	914-419-8797
30697	Vickrey, David	914-333-7449

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